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Products Liability: Toward Balancing the Scales

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SYMPOSIUM

PRODUCTS LIABILITY:

TOWARD BALANCING THE SCALES

PREFACE

Since Justice Traynor's landmark opinion in the California case of *Greenman v. Yuba Power Products*, the courts of the several states have moved steadily toward imposing no fault liability on manufacturers who place defective products in the stream of commerce. This change in the substantive law has raised questions concerning the congruency of existing legal concepts and procedures with strict liability. There has also emerged a sense that the scales have been tipped in favor of the injured party to the point that innovativeness and enterprise are being discouraged. Suggestions have been proffered for judicial and legislative changes to restore more balance in the law. Several state legislatures are considering proposals to delimit the liability and answerability of producers. The courts are presently wrestling with the difficult task of defining standards and processes by which design liability will ultimately be judged. The potential economic consequences of this judicial challenge are obvious. The evolution and application of products liability law continues to be one of the most dynamic developments in the law. This issue of the *Akron Law Review* is dedicated to presenting and exploring recent significant developments. The implications of the recent Ohio State Supreme Court opinion in *Temple v. Wean United, Inc.* are examined and, in a broader perspective, the views of distinguished counsel on key procedural and substantive issues impacting on manufacturers' liability are presented.

Our appreciation is extended to our contributors. We share with them the desire to foster a balance in the law of products liability and in the litigation of claims.

On behalf of the Law Review Staff

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